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Appeal No. 2015-1008

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IN THE  
United States Court of Appeals  
For the Federal Circuit

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ENCAP, LLC,  
*Patent Owner – Appellant,*

v.

THE SCOTTS COMPANY LLC,  
*Petitioner – Appellee.*

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Appeal from the United States Patent and Trademark Office,  
Patent Trial and Appeal Board in No. IPR2013-00110

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**NOTICE OF APPELLEE THE SCOTTS COMPANY LLC**

Appellee, The Scotts Company LLC, hereby withdraws all appearances and notifies the Court that it shall terminate its participation in the appeal of IPR2013-00110 to the United States Court of Appeals for the Federal Circuit in Case No. 2015-1008. Appellee will not file an Appellee Brief, will not participate in Oral Argument and will not participate in any remanded action as a result of this termination of participation.

Dated: March 6, 2015.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed an original copy of this NOTICE OF APPELLEE THE SCOTTS COMPANY LLC with the U.S. Court of Appeals for the Federal Circuit and served a copy on counsel of record, this 6<sup>th</sup> day of March, 2015, by electronic delivery through the Court's CM/ECF system to:

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